



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

WEDNESDAY, January 15, 2003

The Chief Clerk makes the following entries under the above date:

### ADMINISTRATIVE RULES CONTINUED FROM THE 2001 SESSION

#### **Assembly Clearinghouse Rule 01–104**

Relating to the control of underground injection wells.  
Submitted by Department of Natural Resources.

Continued from the 2001 session, pursuant to s. 227.19

(4)(b)6 of the Wisconsin Statutes.

To committee on **Natural Resources**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–046**

Relating to department procedures for administrative hearings.

Submitted by Department of Natural Resources.

Continued from the 2001 session, pursuant to s. 227.19

(4)(b)6 of the Wisconsin Statutes.

To committee on **Natural Resources**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–060**

Relating to recycling efficiency incentive grants.

Submitted by Department of Natural Resources.

Continued from the 2001 session, pursuant to s. 227.19

(4)(b)6 of the Wisconsin Statutes.

To committee on **Urban and Local Affairs**.

Referred on January 15, 2003.

### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 02–002**

Relating to the Wisconsin uniform plumbing code, fees, amusement rides and design and construction of public swimming pools.

Submitted by Department of Commerce.

Report received from Agency, January 6, 2003.

To committee on **Urban and Local Affairs**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–054**

Relating to animal diseases, animal imports and livestock markets.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, January 6, 2003.

To committee on **Agriculture**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–072**

Relating to electrical construction.

Submitted by Department of Commerce.

Report received from Agency, January 6, 2003.

To committee on **Labor**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–077**

Relating to the uniform dwelling code.

Submitted by Department of Commerce.

Report received from Agency, January 6, 2003.

To committee on **Housing**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–112**

Relating to the custody and control of sexually violent persons placed at facilities under s. 980.065, Stats.

Submitted by Department of Health and Family Services.

Report received from Agency, January 6, 2003.

To committee on **Corrections and the Courts**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–116**

Relating to the agriculture development zone program.

Submitted by Department of Commerce.

Report received from Agency, January 6, 2003.

To committee on **Rural Development**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–117**

Relating to a birth defect prevention and surveillance system.

Submitted by Department of Health and Family Services.

Report received from Agency, January 6, 2003.

To committee on **Children and Families**.

Referred on January 15, 2003.

#### **Assembly Clearinghouse Rule 02–118**

Relating to Medicare Supplement insurance policies.

Submitted by Office of Commissioner of Insurance.

Report received from Agency, January 6, 2003.

To committee on **Insurance**.  
Referred on January 15, 2003.

**Assembly Clearinghouse Rule 02–130**

Relating to establishing interest rates and the maximum loan amount under the personal loan program.

Submitted by Department of Veterans Affairs.  
Report received from Agency, January 6, 2003.  
To committee on **Veterans and Military Affairs**.  
Referred on January 15, 2003.

**Assembly Clearinghouse Rule 02–136**

Relating to screening of newborns' blood for congenital and metabolic disorders.

Submitted by Department of Health and Family Services.  
Report received from Agency, January 6, 2003.  
To committee on **Children and Families**.  
Referred on January 15, 2003.

**Assembly Clearinghouse Rule 02–142**

Relating to fishing for walleye and sauger in Escanaba Lake, Vilas County. [Covered in Report on [Clearinghouse Rule 02–014](#).]

Submitted by Department of Natural Resources.  
Report received from Agency, January 6, 2003.  
To committee on **Natural Resources**.  
Referred on January 15, 2003.

---

**COMMITTEE APPOINTMENTS**

Each committee is followed by the number of Republicans and Democrats serving on the committee, meeting day and meeting week. The ranking minority party member of each committee is designated by an asterisk.

**Aging and Long-Term Care (7, 5) Thursday (Even)**

Hundertmark, Jean (Chair)  
Weber, Becky (Vice-chair)  
Ladwig, Bonnie  
Pettis, Mark  
Hines, J.A.  
LeMahieu, Daniel  
Nischke, Ann  
Krusick, Peggy \*  
Travis, David  
Vruwink, Amy Sue  
Plale, Jeffrey  
Pope-Roberts, Sondy

**Agriculture (9, 6) Thursday (Even)**

Ott, Alvin (Chair)  
Williams, Mary (Vice-chair)  
Ainsworth, John  
Kestell, Steve  
Suder, Scott  
Petrowski, Jerry  
Loeffelholz, Gabe  
Hines, J.A.  
Towns, Debi  
Gronemus, Barbara \*  
Plouff, Joe

Balow, Larry  
Hebl, Tom  
Lassa, Julie  
Vruwink, Amy Sue

**Assembly Organization (5, 3)**

Gard, John (Chair)  
Foti, Steven (Vice-chair)  
Freese, Stephen  
Hundertmark, Jean  
Vrakas, Daniel  
Kreuser, James \*  
Richards, Jon  
Turner, Robert

**Budget Review (5, 3) Tuesday (Odd)**

Kerkman, Samantha (Chair)  
Lehman, Michael (Vice-chair)  
Grothman, Glenn  
Gunderson, Scott  
Weber, Becky  
Lassa, Julie \*  
Steinbrink, John  
Miller, Mark

**Campaigns and Elections (4, 2) Thursday (Even)**

Freese, Stephen (Chair)  
Gundrum, Mark (Vice-chair)  
Grothman, Glenn  
Wood, Jeffrey  
Travis, David \*  
Pocan, Mark

**Children and Families (5, 3) Thursday (Even)**

Kestell, Steve (Chair)  
Ladwig, Bonnie (Vice-chair)  
Albers, Sheryl  
Jeskewitz, Suzanne  
Vukmir, Leah  
Sinicki, Christine \*  
Miller, Mark  
Krug, Shirley

**Colleges and Universities (7, 5) Tuesday (Odd)**

Kreibich, Robin (Chair)  
Gottlieb, Mark (Vice-chair)  
Underheim, Gregg  
Nass, Stephen  
Jeskewitz, Suzanne  
Krawczyk, Judy  
Towns, Debi  
Shilling, Jennifer \*  
Pocan, Mark  
Balow, Larry  
Black, Spencer  
Schneider, Marlin

**Corrections and the Courts (6, 4) Wednesday (Odd)**

Bies, Garey (Chair)  
Albers, Sheryl (Vice-chair)  
Underheim, Gregg  
Owens, Carol  
Lasee, Frank  
Suder, Scott  
Pocan, Mark \*

Colon, Pedro  
Staskunas, Tony  
Wasserman, Sheldon

**Criminal Justice (8, 6) Wednesday (Odd)**

Suder, Scott (Chair)  
Friske, Donald (Vice-chair)  
Owens, Carol  
Lasee, Frank  
Jeskewitz, Suzanne  
Gundrum, Mark  
Petrowski, Jerry  
Vukmir, Leah  
Colon, Pedro \*  
Staskunas, Tony  
Pocan, Mark  
Young, Leon  
Turner, Robert  
Schneider, Marlin

**Economic Development (5, 3) Tuesday (Even)**

McCormick, Terri (Chair)  
Nischke, Ann (Vice-chair)  
Hahn, Eugene  
Vukmir, Leah  
Lothian, Thomas  
Van Akkeren, Terry \*  
Lassa, Julie  
Steinbrink, John

**Education (9, 7) Tuesday (Odd)**

Olsen, Luther (Chair)  
Towns, Debi (Vice-chair)  
Nass, Stephen  
Hahn, Eugene  
Kestell, Steve  
Hundertmark, Jean  
Townsend, John  
Loeffelholz, Gabe  
Hines, J.A.  
Krug, Shirley \*  
Lehman, John  
Williams, Annette  
Ziegelbauer, Bob  
Plouff, Joe  
Pope-Roberts, SONDY  
Van Akkeren, Terry

**Education Reform (8, 5) Wednesday (Odd)**

Jensen, Scott (Chair)  
Vukmir, Leah (Vice-chair)  
Nass, Stephen  
Olsen, Luther  
McCormick, Terri  
Towns, Debi  
Wood, Jeffrey  
Nischke, Ann  
Williams, Annette \*  
Cullen, David  
Sherman, Gary  
Sinicki, Christine  
Lehman, John

**Electronic Democracy and Government Reform (4, 2)**

**Tuesday (Even)**

Townsend, John (Chair)  
Freese, Stephen (Vice-chair)  
Vrakas, Daniel  
Montgomery, Phil  
Schneider, Marlin \*  
Black, Spencer

**Energy and Utilities (7, 5) Tuesday (Even)**

Jensen, Scott (Chair)  
Powers, Michael (Vice-chair)  
Montgomery, Phil  
Friske, Donald  
Fitzgerald, Jeff  
Gottlieb, Mark  
Nischke, Ann  
Ziegelbauer, Bob \*  
Steinbrink, John  
Krug, Shirley  
Schooff, Dan  
Travis, David

**Family Law (4, 2) Thursday (Even)**

Owens, Carol (Chair)  
Kestell, Steve (Vice-chair)  
Jensen, Scott  
Friske, Donald  
Berceau, Terese \*  
Krusick, Peggy

**Financial Institutions (9, 7) Thursday (Even)**

Montgomery, Phil (Chair)  
Fitzgerald, Jeff (Vice-chair)  
Freese, Stephen  
Kreibich, Robin  
Wieckert, Steve  
Townsend, John  
Kerkman, Samantha  
Towns, Debi  
Nischke, Ann  
Richards, Jon \*  
Sherman, Gary  
Williams, Annette  
Plale, Jeff  
Lassa, Julie  
Shilling, Jennifer  
Zepnick, Josh

**Forestry (4, 2) Tuesday (Even)**

Friske, Donald (Chair)  
Ainsworth, John (Vice-chair)  
Seratti, Lorraine  
Williams, Mary  
Hubler, Mary \*  
Boyle, Frank

**Government Operations and Spending Limitations (4, 2) Wednesday (Odd)**

Lasee, Frank (Chair)  
Loeffelholz, Gabe (Vice-chair)  
Musser, Terry  
Weber, Becky  
Zepnick, Josh \*  
Wasserman, Sheldon

**Health (10, 7) Tuesday (Even)**

Underheim, Gregg (Chair)  
Gielow, Curt (Vice-chair)  
Johnsrud, DuWayne  
Seratti, Lorraine  
Olsen, Luther  
Wieckert, Steve  
Montgomery, Phil  
Hundertmark, Jean  
Krawczyk, Judy  
Vukmir, Leah  
Wasserman, Sheldon \*  
Krug, Shirley  
Shilling, Jennifer  
Vruwink, Amy Sue  
Miller, Mark  
Colon, Pedro  
Huber, Greg

**Highway Safety (5, 3) Wednesday (Even)**

Petrowski, Jerry (Chair)  
Bies, Garey (Vice-chair)  
Ainsworth, John  
Van Roy, Karl  
Musser, Terry  
Young, Leon \*  
Staskunas, Tony  
Shilling, Jennifer

**Housing (4, 2) Thursday (Odd)**

Wieckert, Steve (Chair)  
Townsend, John (Vice-chair)  
Kreibich, Robin  
Olsen, Luther  
Morris, Johnnie \*  
Krusick, Peggy

**Insurance (8, 6) Thursday (Odd)**

Ladwig, Bonnie (Chair)  
Wieckert, Steve (Vice-chair)  
Underheim, Gregg  
Lasee, Frank  
McCormick, Terri  
Weber, Becky  
Gielow, Curt  
Van Roy, Karl  
Cullen, David \*  
Shilling, Jennifer  
Huber, Greg  
Plouff, Joe  
Lehman, John  
Berceau, Terese

**Judiciary (5, 3) Thursday (Odd)**

Gundrum, Mark (Chair)  
McCormick, Terri (Vice-chair)  
Albers, Sheryl  
Grothman, Glenn  
Kerkman, Samantha  
Staskunas, Tony \*  
Hebl, Tom  
Cullen, David

**Labor (6, 3) Wednesday (Even)**

Nass, Stephen (Chair)  
Vrakas, Daniel (Vice-chair)  
Grothman, Glenn  
Wieckert, Steve  
Hundertmark, Jean  
Fitzgerald, Jeff  
Sinicki, Christine \*  
Wood, Wayne  
Van Akkeren, Terry

**Natural Resources (7, 4) Wednesday (Even)**

Johnsrud, DuWayne (Chair)  
Gunderson, Scott (Vice-chair)  
Ott, Alvin  
Pettis, Mark  
Bies, Garey  
Krawczyk, Judy  
Williams, Mary  
Black, Spencer \*  
Gronemus, Barbara  
Steinbrink, John  
Miller, Mark

**Property Rights and Land Management (5, 3) Wednesday (Odd)**

Albers, Sheryl (Chair)  
Musser, Terry (Vice-chair)  
Ainsworth, John  
Seratti, Lorraine  
Wood, Jeffrey  
Gronemus, Barbara \*  
Black, Spencer  
Huber, Greg

**Public Health (5, 3) Wednesday (Odd)**

Hines, J.A. (Chair)  
Johnsrud, DuWayne (Vice-chair)  
Underheim, Gregg  
Freese, Stephen  
McCormick, Terri  
Wasserman, Sheldon \*  
Morris, Johnnie  
Schneider, Marlin

**Rules (7, 5)**

Foti, Steven (Chair)  
Gard, John (Vice-chair)  
Vrakas, Daniel  
Freese, Stephen  
Hundertmark, Jean  
Owens, Carol  
Grothman, Glenn  
Kreuser, James \*  
Richards, Jon  
Turner, Robert  
Wood, Wayne  
Travis, David

**Rural Affairs (6, 4) Thursday (Odd)**

Hahn, Eugene (Chair)  
Williams, Mary (Vice-chair)  
Johnsrud, DuWayne  
Freese, Stephen  
Olsen, Luther

Weber, Becky  
Plouff, Joe \*  
Lassa, Julie  
Pope-Roberts, Sony  
Ziegelbauer, Bob

**Rural Development (5, 3) Wednesday (Even)**

Loeffelholz, Gabe (Chair)  
Suder, Scott (Vice-chair)  
Ott, Alvin  
Kestell, Steve  
LeMahieu, Daniel  
Balow, Larry \*  
Hubler, Mary  
Plouff, Joe

**Small Business (6, 4) Tuesday (Odd)**

Seratti, Lorraine (Chair)  
Van Roy, Karl (Vice-chair)  
Nischke, Ann  
LeMahieu, Daniel  
Weber, Becky  
Williams, Mary  
Balow, Larry \*  
Wood, Wayne  
Pope-Roberts, Sony  
Krusick, Peggy

**State Affairs (6, 3) Tuesday (Even)**

Fitzgerald, Jeff (Chair)  
Krawczyk, Judy (Vice-chair)  
Musser, Terry  
Lehman, Michael  
Gundrum, Mark  
Petrowski, Jerry  
Turner, Robert \*  
Wood, Wayne  
Young, Leon

**Tourism (7, 5) Tuesday (Odd)**

Pettis, Mark (Chair)  
Bies, Garey (Vice-chair)  
Ladwig, Bonnie  
Gunderson, Scott  
Hines, J.A.  
Williams, Mary  
Van Roy, Karl  
Plale, Jeffrey \*  
Ziegelbauer, Bob  
Van Akkeren, Terry  
Sinicki, Christine  
Riley, Antonio

**Transportation (9, 7) Thursday (Odd)**

Ainsworth, John (Chair)  
Petrowski, Jerry (Vice-chair)  
Ott, Alvin  
Hahn, Eugene  
Suder, Scott  
Friske, Donald  
McCormick, Terri  
Gottlieb, Mark  
Van Roy, Karl

Steinbrink, John \*  
Sherman, Gary  
Vruwink, Amy Sue  
Staskunas, Tony  
Gronemus, Barbara  
Hebl, Tom  
Zepnick, Josh

**Urban and Local Affairs (5, 3) Tuesday (Odd)**

Gunderson, Scott (Chair)  
LeMahieu, Daniel (Vice-chair)  
Lehman, Michael  
Lothian, Thomas  
Gottlieb, Mark  
Huber, Greg \*  
Berceau, Terese  
Riley, Antonio

**Veterans and Military Affairs (8, 6) Wednesday (Even)**

Musser, Terry (Chair)  
Townsend, John (Vice-chair)  
Pettis, Mark  
Hundertmark, Jean  
Petrowski, Jerry  
Bies, Garey  
Loeffelholz, Gabe  
Gottlieb, Mark  
Sherman, Gary \*  
Boyle, Frank  
Hubler, Mary  
Schneider, Marlin  
Sinicki, Christine  
Miller, Mark

**Ways and Means (8, 6) Wednesday (Even)**

Lehman, Michael (Chair)  
Wood, Jeffrey (Vice-chair)  
Nass, Stephen  
Hahn, Eugene  
Lasee, Frank  
Jeskewitz, Suzanne  
Kerkman, Samantha  
Lothian, Thomas  
Wood, Wayne \*  
Colon, Pedro  
Berceau, Terese  
Ziegelbauer, Bob  
Morris, Johnnie  
Hebl, Tom

**Workforce Development (7, 5) Wednesday (Odd)**

Krawczyk, Judy (Chair)  
Lothian, Thomas (Vice-chair)  
Vrakas, Daniel  
Kreibich, Robin  
Olsen, Luther  
Wood, Jeffrey  
Gielow, Curt  
Lehman, John \*  
Colon, Pedro  
Coggs, Spencer  
Plale, Jeffrey  
Zepnick, Josh

**Joint Committee for Review of Administrative Rules (3, 2)**

Grothman, Glenn (Co-chair)  
Seratti, Lorraine (Vice-chair)  
Gunderson, Scott  
Black, Spencer \*  
Hebl, Tom

**Joint Committee on Audit (3, 2)**

Jeskewitz, Suzanne (Co-chair)  
Kaufert, Dean (Vice-chair)  
Kerkman, Samantha  
Cullen, David \*  
Pocan, Mark

**Joint Committee on Employment Relations (3, 1)**

Gard, John (Co-chair)  
Foti, Steven  
Kaufert, Dean  
Kreuser, James \*

**Joint Committee on Finance (6, 2)**

Kaufert, Dean (Co-chair)  
Huebsch, Michael (Vice-chair)  
Ward, David  
Rhoades, Kitty  
Stone, Jeff  
Meyer, Dan  
Coggs, Spencer \*  
Schooff, Dan

**Joint Committee on Legislative Organization (3, 2)**

Gard, John (Co-chair)  
Foti, Steven  
Hundertmark, Jean  
Kreuser, James \*  
Richards, Jon

**Joint Survey Committee on Retirement Systems (2, 1)**

Vrakas, Dan (Co-chair)  
Jeskewitz, Suzanne (Vice-chair)  
Hubler, Mary \*

**Joint Survey Committee on Tax Exemptions (2, 1)**

Powers, Michael (Co-chair)  
Hahn, Eugene (Vice-chair)  
Hubler, Mary \*

**Joint Review Committee on Criminal Penalties (1, 1)**

Albers, Sheryl (Co-chair)  
Huber, Greg

---

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Administration  
Madison

December 19, 2002

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes),

and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of November 2002.

On November 22, 2002, the **Wisconsin Health Education Loan Repayment Fund** cash balance closed at a negative \$1 thousand. The negative balance continued until November 27, 2002, when the balance closed at a positive \$12 thousand. The **Wisconsin Health Education Loan Repayment Fund** cash balance reached a low of negative \$2 thousand on November 25, 2002. The negative balance was due to the difference in the timing of revenues and expenditures.

The Wisconsin Health Education Loan Repayment Fund’s negative cash balance was not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,  
*GEORGE LIGHTBOURN*  
Secretary

Referred to committee on **Budget Review**.

---

State of Wisconsin  
Department of Justice  
Madison

January 15, 2003

To the Honorable, the Legislature:

Section 165.90 of the Wisconsin Statutes requires the Department of Justice to report on the performance of cooperative county-tribal law enforcement programs receiving aid under this section. This letter constitutes our report.

The County-Tribal Law Enforcement Grant Program continues to help local law enforcement provide needed services in Indian communities. In addition, this program helps build a cooperative atmosphere and positive relationship between law enforcement and tribal governments and communities. Departmental staff is available to discuss this report and this important program.

Sincerely,  
*PEGGY A. LAUTENSCHLAGER*  
Attorney General

Referred to committee on **Criminal Justice**.

## **AGENCY REPORTS**

State of Wisconsin  
Department of Transportation  
Madison

December 20, 2002

To the Honorable, the Legislature:

I am pleased to submit the results of our study on the effectiveness of passive alcohol sensors for use in traffic law enforcement.

The Division of State Patrol, the Division of Transportation Investment Management, and the Office of General Counsel worked with representatives of law enforcement, the legal community, and the general public to provide a comprehensive view of passive alcohol sensors.

The study involved extensive dialogue with legal and law enforcement focus groups, a review of existing literature, laboratory and user tests of the devices, a survey of public perception of passive alcohol sensors, and a compilation of judicial and privacy advocacy group opinions on the use of passive alcohol sensors. The final report includes the study findings regarding legal aspects of passive alcohol sensors, implementation factors for law enforcement, effectiveness of the devices, citizen concerns, and legislative considerations for Wisconsin.

Each study participant gave their time, commitment and expertise to the process, and they are to be commended. Thank you for providing the Wisconsin Department of Transportation the opportunity to conduct this study.

Sincerely,  
*THOMAS E. CARLSEN, P.E.*  
Secretary